

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CHAPTER 11
)	
Fredegra Lashawan Brown)	CASE NO. 18-66575- pmb
)	
Debtor)	

Carvana, LLC)	
)	
Movant,)	
v.)	CONTESTED MATTER
)	
Fredegra Lashawan Brown)	
US Trustee's Office)	
Respondents.)	
)	

NOTICE OF HEARING

Carvana, LLC, ("Movant") has filed a Motion for Relief from Stay, seeking relief from the automatic stay on Debtor's 2014 BMW 5 Series; VIN WBA5A5C53ED500240.

YOUR RIGHTS MAY BE AFFECTED. You should read these documents carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the court to lift the automatic stay, sought in motion, or if you want the court to consider your views on the motion, then you or your attorney must attend the hearing scheduled to be held on this motion at **United States Bankruptcy Court, Courtroom 1202, 75 Ted Turner Drive, SW, Atlanta, GA 30303 on July 15, 2019 at 1:30 P.M.**

If you or your attorney does not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting relief.

Dated: June 13, 2019

/s/ Richard B. Maner

Richard B. Maner, GA Bar No. 486588

Counsel for Movant

180 Interstate N Parkway, Suite 200

Atlanta, GA 30339

Phone: (404) 252-6385; Fax: (404) 252-6394

rmaner@rbmlegal.com

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Debtor)	
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Carvana, LLC)	
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Movant,)	
v.)	CONTESTED MATTER
)	
Fredegra Lashawan Brown., Debtor)	
US Trustee Office)	
)	
Respondents.)	
)	

MOTION FOR RELIEF FROM STAY

COMES NOW, Carvana, LLC, (“Movant”) and moves this Court for relief from the automatic stay pursuant to 11 U.S.C. §362. In support thereof, Movant shows the Court as follows:

1.

Debtor filed for relief under Chapter 13 of the U.S. Bankruptcy Code on 10/01/2018, and said case converted to Chapter 11 on 04/17/2019.

2.

Movant, hold title and is secured by a Simple Interest Retail Installment Contract to Debtor’s 2014 BMW 5 Series; VIN WBA5A5C53ED500240, copies of the contract is attached hereto as Exhibit A. The approximate payoff is \$22,483.02, as of 6/13/19 the loan is delinquent \$3921.07 and is contractually due for the 10/31/18 through 6/13/19 payments.

3.

As of 6/13/2019 the value is \$17,650.00, NADA report is attached as Exhibit B.

4.

Movant has not provided proof of full coverage insurance protecting its interest in the Collateral.

5.

Movant requests upon entry of an Order granting relief from stay, that Rule 3002.1 of the Federal Rules of Bankruptcy Procedure no longer apply as the claim is not provided for under 11 U.S.C. Section 362(d).

6.

Movant requests that should relief be granted, Movant has the right to file an unsecured deficiency claim upon sale of the subject vehicle.

WHEREFORE, the Movant prays for an Order relieving it from the automatic stay of 11 U.S.C. § 362, authorizing Movant to proceed with the sale of the collateral, under its contract, in accordance with and pursuant to appropriate state statutes; directing that Rule 3002.1 no longer apply. Movant further prays that the provisions of Bankruptcy Rule 4001(a)(3) be waived so that such Order be effective upon entry.

This 13th day of June 2019.

Respectfully Submitted,

/s/ Richard B. Maner

Richard B. Maner, GA Bar No. 486588

Counsel for Movant

180 Interstate N Parkway, Suite 200

Atlanta, GA 30339

Phone: (404) 252-6385; Fax: (404) 252-6394

rmaner@rbmlegal.com

CERTIFICATE OF SERVICE

I, Richard B. Maner, certify that I am over the age of 18 and that on June 13, 2019, I served a copy of Movant's **MOTION FOR RELIEF FROM STAY** and **NOTICE OF HEARING** electronically. Those not served electronically have been served by depositing same in the United States Mail in a properly addressed envelope to each with adequate postage prepaid on the following persons or entities at the addresses stated:

Fredegra LaShawan Brown
9830 Cedar Grove Road
Fairburn, GA 30213

Joseph Chad Brannen
The Brannen Firm, LLC
Suite G
7147 Jonesboro Road
Morrow, GA 30260

Office of US Trustee
362 United States Courthouse
75 Spring Street SW
Atlanta, GA 30303

Dated: June 13, 2019

/s/ Richard B. Maner

Richard B. Maner GA Bar No. 486588

Counsel for Movant

RICHARD B. MANER, P.C.

180 Interstate N Parkway

Suite 200

Atlanta, GA 30339

Phone: (404) 252-6385; Fax: (404) 252-6394

rmaner@rbmlegal.com

Georgia Certificate of Title

DISCLAIMER: DO NOT ACCEPT THIS TITLE WITHOUT THE SECURITY THREAD LOCATED APPROXIMATELY TWO INCHES FROM LEFT EDGE.

VEHICLE IDENTIFICATION NUMBER WBA5A5C53ED500240	MAKE BMW	YEAR 2014	TYPE OF BODY 4 DOOR	MODEL 528I	CYL 4	DATE ISSUED 06/07/2017
DATE VEHICLE PUR 05/13/2017	FUEL GASOLINE	NEW OR USED USED	ODOMETER* 042593	PREVIOUS TITLE NBR / STATE OF ISSUE /GA	NBR OF LIENS 1	COLOR WHI / WHI
				CURRENT TITLE NUMBER		

OWNER

FREDEGRA LASHAWN BROWN
513 SUTHERLAND WAY
MCDONOUGH GA 30253-8754

* ODOMETER READING IS ACTUAL MILEAGE OF THE VEHICLE UNLESS OTHERWISE INDICATED BELOW.

MAIL TO:

T18

CARVANA LLC
PO BOX 29002
PHOENIX AZ 85038-9002

1ST LIEN OR SECURITY INTEREST

CARVANA LLC
PO BOX 29002
PHOENIX AZ 85038-9002

2ND LIEN OR SECURITY INTEREST

3RD LIEN OR SECURITY INTEREST

RELEASE OF LIEN OR SECURITY INTEREST

DATE OF RELEASE	SECURITY INTEREST HOLDER	AUTHORIZED AGENT
1ST LIEN		BY
2ND LIEN		BY
3RD LIEN		BY

The Georgia Department of Revenue issued this title pursuant to the Motor Vehicle Certificate of Title Act and this title is subject to its provisions. The Department certifies that on application duly made, the person named herein is registered as the lawful owner of the vehicle described subject to any liens or security interests set forth and such liens or security interests as may subsequently be filed with the Commissioner.

042527691

Lynette T. Riley

STATE REVENUE COMMISSIONER

46863242



NADAguides Value Report 6/13/2019

2014 BMW 5 Series

Sedan 4D 528i I4 Turbo

Values

	Rough Trade-In	Average Trade-In	Clean Trade-In	Clean Retail
Base Price	\$10,075	\$11,875	\$13,400	\$15,575
Mileage (67,607)	\$550	\$550	\$550	\$550
Total Base Price	\$10,625	\$12,425	\$13,950	\$16,125

Options (add)

Price + Options	\$10,625	\$12,425	\$13,950	\$16,125
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Certified Pre-Owned (CPO)				+\$1,525
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Certified Price with Options				\$17,650
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Rough Trade-In - Rough Trade-in values reflect a vehicle in rough condition. Meaning a vehicle with significant mechanical defects requiring repairs in order to restore reasonable running condition. Paint, body and wheel surfaces have considerable damage to their finish, which may include dull or faded (oxidized) paint, small to medium size dents, frame damage, rust or obvious signs of previous repairs. Interior reflects above average wear with inoperable equipment, damaged or missing trim and heavily soiled /permanent imperfections on the headliner, carpet, and upholstery. Vehicle may have a branded title and un-true mileage. Vehicle will need substantial reconditioning and repair to be made ready for resale. Some existing issues may be difficult to restore. Because individual vehicle condition varies greatly, users of NADAguides.com may need to make independent adjustments for actual vehicle condition.

Average Trade-In - The Average Trade-In values on nadaguides.com are meant to reflect a vehicle in average condition. A vehicle that is mechanically sound but may require some repairs/servicing to pass all necessary inspections; Paint, body and wheel surfaces have moderate imperfections and an average finish and shine which can be improved with restorative repair; Interior reflects some soiling and wear in relation to vehicle age, with all equipment operable or requiring minimal effort to make operable; Clean title history; Vehicle will need a fair degree of reconditioning to be made ready for resale. Because individual vehicle condition varies greatly, users of nadaguides.com may need to make independent adjustments for actual vehicle condition.

Clean Trade-In - Clean Trade-In values reflect a vehicle in clean condition. This means a vehicle with no mechanical defects and passes all necessary inspections with ease. Paint, body and wheels have minor surface scratching with a high gloss finish and shine. Interior reflects minimal soiling and wear with all equipment in complete working order. Vehicle has a clean title history. Vehicle will need minimal reconditioning to be made ready for resale. Because individual vehicle condition varies greatly, users of NADAguides.com may need to make independent adjustments for actual vehicle condition.

Clean Retail - Clean Retail values reflect a vehicle in clean condition. This means a vehicle with no mechanical defects and passes all necessary inspections with ease. Paint, body and wheels have minor surface scratching with a high gloss finish and shine. Interior reflects minimal soiling and wear with all equipment in complete working order. Vehicle has a clean title history. Because individual vehicle condition varies greatly, users of NADAguides.com may need to make independent adjustments for actual vehicle condition. Note: Vehicles with low mileage that are in exceptionally good condition and/or include a manufacturer certification can be worth a significantly higher value than the Clean Retail price shown.

Popular BMW Models

BMW 3 Series
BMW 4 Series
BMW 5 Series
BMW 2 Series

Popular BMW Vehicles

2019 BMW 4 Series
2019 BMW X3
2019 BMW 5 Series
2018 BMW 3 Series

BMW 6 Series
BMW 7 Series
BMW X3
BMW X5
BMW X1
BMW M4

2018 BMW 5 Series
2018 BMW 2 Series
2018 BMW 6 Series
2018 BMW X5
2018 BMW 7 Series

Car Shopping Guides

10 Most Popular Midsize SUVs ...
Most Reliable Crossovers and S...
10 Most Popular Luxury Cars
2019 Vehicle Dependability: Mo...
Most Dependable Family SUVs:...
Most Dependable Trucks: 2018 ...
2019 Vehicle Dependability: Mo...
Most Reliable Luxury Crossover...
10 Most Popular Midsize Cars
2019 Vehicle Dependability: Mo...

Cars By Price

Under \$15,000
\$15,000 - \$25,000
\$25,000 - \$35,000
\$35,000 - \$45,000
\$45,000 - \$55,000
\$55,000 - \$65,000
\$65,000 - \$75,000
Over \$75,000